



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,828	09/22/2006	Kazuyoshi Toriyama	723-1984	4629
27562 7590 10/30/2009 NIXON & VANDERHYE, P.C. 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
ORR, HENRY W				
ART UNIT		PAPER NUMBER		
2175				
MAIL DATE		DELIVERY MODE		
10/30/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/593,828

Applicant(s)

TORIYAMA, KAZUYOSHI

Examiner

HENRY ORR

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE-08)
Paper No(s)/Mail Date 9/22/2006, 5/29/2007
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to application communication filed on 9/22/2006.
2. Claims 1-18 are pending in the case.
3. Claims 1, 4 and 12-18 are independent claims.

Priority

4. Applicant's claim for the benefit of foreign Japan application 2004-083248, filed March 22, 2004 under 35 U.S.C. 119(a)-(d) is acknowledged.

Information Disclosure Statement

5. The information disclosure statements (IDS) submitted on 9/22/2006 and 5/29/2007 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statements.

Claim Objections

6. Claims 2 and 9 are objected to because of the following informalities:

Claim 2 should be amended to "area[.]" to be grammatically correct.

Claim 9 recites the phrase **"said predetermined input"**. There is insufficient antecedent basis for this limitation in the claim because it is unclear whether **"said predetermined input"** in claim 9 is referring to previously recited **"first predetermined**

input" in base claim 1. Examiner suggests amending claim 9 to recite **"said first predetermined input"**.

Claim 9 also recites the phrase **"the input data"**. There is insufficient antecedent basis for this limitation in the claim because it is unclear whether **"said input data"** in claim 9 is referring to previously recited **"an input"** in base claim 1. Examiner suggests amending claim 9 to recite **"the input data"**.

Appropriate corrections are required.

Specification

7. The disclosure is objected to because of the following informalities:

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. **Claims 6 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claim 6 recites the phrase **“said third display”**. There is insufficient antecedent basis for this limitation in the claim because the phrase has not been previously recited in respective base claims.

Claim 11 recites the pronoun **“them”** in line 5, which renders the claim as indefinite because what is being referred to as **“them”** is not set forth in the claim.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. **Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Cutler et al. (hereinafter “Cutler”), U.S. Patent Publication No. 2005/0188329 A1.**

Claim 1:

Cutler teaches **an information processing apparatus, comprising: a storing means for storing data** (see par. 29-30; memory and storage devices) to display a plurality of windows (see Figure 2; sub application windows) **and data to display a plurality of selection areas which are respectively corresponded to said plurality of windows**, (see par. 58-59, Figure 7; iconic sub application windows in navigation box

serve as the recited "selection areas") **a display means for including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) and a second display area on which said plurality of selection areas are displayed, a detecting means for detecting an input to display positions of said plurality of selection areas, (see Figure 7; screen area where navigation box is located serves as recited "second display area") and a first display controlling means for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a window displayed on a forefront by said detecting means, the window corresponding to the selection area on said second display area (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box).**

Claim 2:

Cutler teaches **a second display controlling means for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on the forefront on said first display area by said detecting means, the window corresponding to the selection area on said first display area or on the forefront on said first display area (see par. 42; sub application windows can be**

arranged as desired by user).

Claim 3:

Cutler teaches **a third display controlling means for displaying, when it is determined that a second predetermined input is performed within a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on the forefront on said first display area by said detecting means, the window corresponding to the selection area on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box. Examiner notes that the iconic sub application windows in the navigation box may move the actual sub application window from one screen to another regardless of whether the window is overlapped or cascaded.).

Claim 4:

Cutler teaches **a storing means for storing data** (see par. 29-30; memory and storage devices) **to display a plurality of windows** (see Figure 2; sub application windows) **and data to display a plurality of selection areas which are respectively corresponded to said plurality of windows,** (see par. 58-59, Figure 7; iconic sub application windows in navigation box serve as the recited "selection areas") **a display means for including a first display area on which only a predetermined window out of the plurality of windows is displayed or said plurality of windows are**

displayed in an overlapping manner (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) **and a second display area on which said plurality of selection areas are displayed**, (see Figure 7; screen area where navigation box is located serves as recited "second display area") **a detecting means for detecting an input to display positions of said plurality of selection areas**, (see par. 57; user activates a navigation box which displays positions of iconic sub application windows) **and a third display controlling means for displaying, when it is determined that a second predetermined input is performed at a display position of a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on a forefront on said first display area by said detecting means, the window corresponding to the selection area on said second display area** (see par. 42; overlapping or cascaded windows, par. 59; sub-application windows can be moved from one screen to another screen via navigation box, Examiner notes Cutler's Figure 3 illustrates many screens. Therefore, a window may be moved from a different screen out of the plurality of screens that is not a first or second display area (i.e., screen). Examiner further notes that the iconic sub application windows in the navigation box may move the actual sub application window from one screen to another regardless of whether the window is overlapped or cascaded. (see Figures 3 and 7)).

Claim 5:

Cutler teaches **a first display controlling means for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or the window displayed on the forefront by said detecting means, the window corresponding to the selection area on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box).

Claim 6:

Cutler teaches **wherein said detecting means detects an input to an arbitrary position of said second display area, and further comprising a setting means for setting, when a window is displayed on said second display area by said first display controlling means or said third display controlling means, the window to an inputable state from said detecting means** (see par. 59; sub-application windows capable of receiving input can be moved from one screen to another screen via navigation box).

Claim 7:

Cutler teaches **a fourth display controlling means for displaying, when it is determined that a predetermined input is performed within a selection area corresponding to the window displayed on said second display area, the window corresponding to the selection area of the forefront on said first display area** (see

par. 42; sub application windows can be arranged as desired by user).

Claim 8:

Cutler teaches **a fifth display controlling means for displaying, in a case that said window is displayed on said second display area and when it is determined that other window is being displayed on said second display area, the other window on the forefront on said first display area** (see par. 42; sub application windows can be arranged as desired by user).

Claim 9:

Cutler teaches **wherein said detecting means detects said predetermined input on the basis of the input data from a touch panel which is not set on said first display area but set on said second display area** (see par. 67; touch screen).

Claim 10:

Cutler teaches **wherein said storing means stores data to display a basic input window to be displayed on said second display area, and further comprising a basic display controlling means for displaying said basic input window on said second display area when no window to be displayed on said second display area is present** (see par. 59; sub-application windows capable of receiving input can be moved from one screen to another screen via navigation box).

Claim 11:

Cutler teaches a **generating means for, when a predetermined coordinates input is performed to said window displayed on said second display area, generating data to display a new window and data to display a new selection area, and storing the generated data in said storing means by bringing them into correspondence with each other, and a selection area display controlling means for displaying said selection area generated by said generating means on said second display area** (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box. Examiner notes that sub-applications and their corresponding iconic representation displayed via navigation box may be newly created).

Claim 12:

Cutler teaches an **information processing program of an information processing apparatus comprising a storing means for storing data** (see par. 29-30; memory and storage devices) **to display a plurality of windows** (see Figure 2; sub application windows) **and data to display a plurality of selection areas which are respectively corresponded to said plurality of windows** (see par. 58-59, Figure 7; iconic sub application windows in navigation box serve as the recited "selection areas"), **and a display means for including a first display area on which only a**

predetermined window out of the plurality of windows is displayed or said plurality of windows are displayed in an overlapping manner, (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) and a second display area on which said plurality of selection areas are displayed, (see Figure 7; screen area where navigation box is located serves as recited "second display area") causing a processor of said information processing apparatus to execute a detecting step for detecting an input to display positions of said plurality of selection areas, (see par. 57; user activates a navigation box which displays positions of iconic sub application windows) and a first display controlling step for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a window displayed on a forefront by said detecting step, the window corresponding to the selection area on said second display area (see par. 59; sub-application windows can be moved from one screen to another screen via navigation box).

Claim 13:

Claim 13 is substantially encompassed in claim 12; therefore the claim 13 is rejected under the same rationale as claim 12 above.

Claim 14:

Claim 14 is substantially encompassed in claim 12; therefore the claim 14 is rejected under the same rationale as claim 12 above.

Claim 15:

Cutler teaches **an information processing program of an information processing apparatus comprising a storing means for storing data** (see par. 29-30; memory and storage devices) **to display a plurality of windows** (see Figure 2; sub application windows) **and data to display a plurality of selection areas which are respectively corresponded to said plurality of windows**, (see par. 58-59, Figure 7; iconic sub application windows in navigation box serve as the recited "selection areas") **and a display means for including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner**, (see par. 42, Figure 3; Screen 56k illustrate overlapping windows) **and a second display area on which said plurality of selection areas are displayed**, (see Figure 7; screen area where navigation box is located serves as recited "second display area") **causing a processor of said information processing apparatus to execute a detecting step for detecting an input to display positions of said plurality of selection areas**, (see par. 57; user activates a navigation box which displays positions of iconic sub application windows) **and a third display controlling step for displaying, when it is determined that a second predetermined input is performed at a display position of a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on a forefront on said first display area by said**

detecting step, the window corresponding to the selection area on said second display area (see par. 42; overlapping or cascaded windows, par. 59; sub-application windows can be moved from one screen to another screen via navigation box, Examiner notes Cutler's Figure 3 illustrates many screens. Therefore, a window may be moved from a different screen out of the plurality of screens that is not a first or second display area (i.e., screen). Examiner further notes that the iconic sub application windows in the navigation box may move the actual sub application window from one screen to another regardless of whether the window is overlapped or cascaded. (see Figures 3 and 7)).

Claim 16:

Claim 16 is substantially encompassed in claim 15; therefore the claim 16 is rejected under the same rationale as claim 15 above.

Claim 17:

Claim 17 is substantially encompassed in claim 12; therefore the claim 17 is rejected under the same rationale as claim 12 above.

Claim 18:

Claim 18 is substantially encompassed in claim 12; therefore the claim 18 is rejected under the same rationale as claim 12 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY ORR whose telephone number is (571)270-1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10/21/2009
HO

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175